

# **EXHIBIT**

# **B**

**Kiely, Christian**

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**From:** Marion H. Little <little@litohio.com>  
**Sent:** Tuesday, June 9, 2020 9:41 AM  
**To:** Cooper, Howard  
**Cc:** Oren, Kristy; Basaria, Saraa; Kiely, Christian  
**Subject:** RE: Activity in Case 1:19-cv-03377-LAP Giuffre v. Dershowitz - Subpoenas to Wexner and Zeiger

The subject line in the email references an "Activity in Case," which is suggestive of some of court filing. We understand, as required by Rule 45, Mr. Dershowitz will provide notice of his service of the subpoenas to counsel for the other parties. However, as is customary with the local court practice, the notice and return of service need not be filed with the clerk of courts and we request confirmation that they will not be. Thanks, mhl

-----Original Message-----

From: Cooper, Howard [mailto:hcooper@toddweld.com]  
Sent: Monday, June 08, 2020 8:58 PM  
To: Marion H. Little  
Cc: Oren, Kristy; Basaria, Saraa; Kiely, Christian  
Subject: Re: Activity in Case 1:19-cv-03377-LAP Giuffre v. Dershowitz - Subpoenas to Wexner and Zeiger

Not sure what you mean but the attachments have not been filed in court.

Best,

Howard

Howard M. Cooper

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On Jun 8, 2020, at 6:15 PM, Marion H. Little <little@litohio.com> wrote:

Howard, I'll follow up with by Wednesday, but I assume these have not been filed. I do not believe filing is necessary under the local rules. Nor we expect that they would be. Thanks, mhl

From: Cooper, Howard [mailto:hcooper@toddweld.com]  
Sent: Monday, June 08, 2020 3:19 PM  
To: Marion H. Little  
Cc: Oren, Kristy; Basaria, Saraa; Kiely, Christian  
Subject: FW: Activity in Case 1:19-cv-03377-LAP Giuffre v. Dershowitz - Subpoenas to Wexner and Zeiger

Hi Marion –

As we have discussed, attached please find subpoenas for Mr. Wexner and Mr. Zeiger. I very much appreciate your agreeing to accept service for them. As we have also agreed, the dates are placeholders for purposes of any testimony and so that you may file whatever motion you determine to file. I am hoping you will produce the non-privileged, non-work product documents we seek in the short term. When we agree on actual dates, we will send notices making clear the depositions will be taken for purposes of both the federal and state court actions. I also wish to memorialize what I believe I have made clear – that we will extend every courtesy to your clients as to the date(s), location and time of their depositions. We will observe appropriate social distancing.

I have reviewed your proposed Protective Order. We cannot agree to its terms. It will unfairly hamstring us if we are not able to file materials designated as confidential with the court as we deem necessary. As I have said, anything which is truly private like personal health care information (if it were even to come up) we can treat as confidential to be filed under the cover of a motion to impound. But based upon what we understand your clients' testimony is likely to be, some of which is already public via statements made to the media, it really cannot be considered confidential. If you like, I would be glad to draft and send a confidentiality agreement which protects truly personal and proprietary, non-public information.

Please call me when you are ready to discuss a schedule.

Thanks.

Howard

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